

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEE CROSS,)	
)	
Plaintiff,)	03 C 4265
)	
v.)	
)	
Chicago Police Officers RUBEN WEBER,)	Magistrate Judge Cole
Star #19588 and KRISTI BATTALINI, Star)	
#16027, and the CITY OF CHICAGO,)	
)	
Defendants.)	

DEFENDANTS' MOTION FOR ENTRY OF BILL OF COSTS

Defendants, the City of Chicago ("City"), by Mara S. Georges, Corporation Counsel, and Chicago Police Officers Ruben Weber and Kristi Battalini ("Defendant Officers"), by one of their attorneys, Kathryn M. Doi, Assistant Corporation Counsel of the City of Chicago, pursuant to 28 U.S.C. § 1920, Fed. R. Civ. P. 54(d) and LR 54.1 of the Local Rules of the Northern District of Illinois, hereby submit a Bill of Costs, which is attached, setting forth the costs they incurred in the defense of this matter.

1. On June 23, 2003, Plaintiff Lee Cross, pro se, filed a complaint against the City of Chicago and two Chicago police officers, Weber and Battalini, alleging various causes of action arising from two incidents which occurred in 2003 that each involved a stop of Plaintiff and seizure of Plaintiff's money as suspect drug funds.

2. On November 19, 2004, Judge Kennelly granted Defendant City and Defendant Officers' Motions for Summary Judgment in part, dismissing all state claims against Defendant Officers, and dismissing all claims Defendant City except one, for indemnification of the officers.

3. On October 19 and 20, 2005, a jury trial on the merits of the remaining claims against the Defendant Officers was held. The jury rendered a verdict in favor of Defendants Weber and Battalini and against Plaintiff on October 20, 2005. This Court issued an order entering judgment on the jury verdict on October 20, 2005.

4. During the two years this case was pending, the parties were engaged in lengthy settlement discussions. Despite the futility of his claims, Plaintiff refused to settle the case, thereby forcing Defendants to incur significant costs in continued litigation of the matter.

6. In order to defend themselves, Defendants were forced to incur certain costs, as set forth in Defendants' Bill of Costs and Itemization of Bill of Costs attached to this motion.

7. As the prevailing parties, Defendants are entitled to recover the costs set forth in the attached Bill of Costs, for the reasons set forth more fully in the attached Memorandum in Support of Bill of Costs.

WHEREFORE, Defendants City of Chicago and Defendant Officers Ruben Weber and Kristi Battalini respectfully submit their Bill of Costs, which totals **Four Thousand Three Hundred Eight and 20/100 Dollars (\$4,308.20)**, against Plaintiff Lee Cross.

Dated: November 17, 2005

Respectfully Submitted,

/s/ Kathryn M. Doi
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